

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CIVIL REVISION APPLICATION No.643 of 1986

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

- =====
1. Whether Reporters of Local Papers may be allowed to see the judgements?
 2. To be referred to the Reporter or not?
 3. Whether Their Lordships wish to see the fair copy of the judgement?
 4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
 5. Whether it is to be circulated to the Civil Judge?

1 to 5 : NO

DHANJIBHAI D PARMAR

Versus

JAGUBHAI N PARMAR

Appearance:

MR SH SANJANWALA for Petitioner
None present for the respondent.

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 19/11/98

ORAL JUDGEMENT :

In this Revision Application notice was issued by this Court on 29.4.1986. Interim relief in terms of para 8(C) has been granted. Para 8(C) reads as under :

"Pending hearing and final disposal of this Civil Revision Application, your Lordships may be pleased to stay execution, operation and

implementation of the order passed in Misc.
Civil Appeal No.44/ 86 by the Assistant Judge,
Surat dated 24.3.86."

Operation, execution and implementation of the order of the first appellate court has remained stayed for all these years. The suit out of which the CRA has arisen is of year 1985 and there is all possibility that by now that would have been disposed of. However, the learned counsel for the petitioner is not in a position to say affirmatively either way. Taking into consideration the fact that for all these 12 years interim relief granted by this Court is operating, the interest of justice would be met, in case this CRA is disposed of in the terms that the interim relief granted by this Court on 29.4.1986 in terms of para 8(C) shall continue till decision of this suit. The learned trial court is directed to decide the suit within the period of six months from the date of the receipt of the writ of this order. However, in the case the suit has already been disposed of, this order needs not be carried out and the injunction which was ordered to be continued shall come to end automatically without reference to the court.

karim*